

SENATE BILL No. 1345

May 28, 2008, Introduced by Senators BARCIA and GLEASON and referred to the Committee on Local, Urban and State Affairs.

A bill to amend 1909 PA 278, entitled
"The home rule village act,"
by amending section 12 (MCL 78.12).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 12. (1) If the proposed charter ~~be~~ **IS** rejected at ~~such~~ **AN**
2 election, the election of officers ~~shall be~~ **IS** void, except that
3 the elector who ~~shall receive~~ **RECEIVES** the highest number of votes
4 cast for the office of president shall ~~nevertheless~~ be a de facto
5 officer of ~~such~~ **THE** village, until a president for ~~such~~ **THE**
6 village is elected and qualified pursuant to a charter ~~of~~ which the
7 electors have approved. ~~, and the~~ **THE** president ~~so~~ elected shall,
8 after the lapse of 10 days within which petitions for the selection
9 of a new charter commission may be filed, ~~as hereinafter stated,~~ if
10 ~~such~~ **A** petition has not been filed with him **OR HER**, by notice,

1 require the ~~said~~ charter commission to reconvene and upon ~~such~~
2 notice the ~~said~~ charter commission shall reconvene and, within 60
3 days after ~~such~~ ~~THE~~ notice, provide ~~such~~ ~~ANY~~ revision, amendment,
4 or amendments to the original draft of the charter previously
5 prepared by ~~them~~ ~~THE COMMISSION~~ as ~~to them shall seem fit~~ ~~THE~~
6 ~~COMMISSION CONSIDERS NECESSARY.~~

7 (2) The proposed charter, with ~~such~~ amendment or amendments,
8 shall be resubmitted to the qualified electors of ~~said~~ ~~THE~~ village
9 in the same manner and with ~~like~~ ~~THE SAME~~ notice and proceedings as
10 required in the first instance, which proceedings shall continue
11 until the qualified electors of ~~said~~ ~~THE~~ village have, by a
12 majority vote, approved a charter for ~~said~~ ~~THE~~ village. ~~Provided,~~
13 ~~That any such~~

14 (3) ~~ANY~~ proposed charter, as originally submitted or
15 resubmitted with any ~~such~~ amendment or amendments, shall **NOT** be
16 submitted ~~not to exceed~~ **MORE THAN** 3 times to the qualified electors
17 of ~~said~~ ~~THE~~ village, and if rejected 3 times, or in the event that
18 ~~no~~ ~~A~~ charter is ~~or has been~~ **NOT** adopted by the electors of ~~said~~ ~~THE~~
19 village during a period of ~~2-3~~ years following the election on the
20 question of the incorporation of ~~said~~ ~~THE~~ village, the township
21 clerk of the township in which ~~said~~ ~~THE~~ village is located, or of
22 that township having the largest portion of the population thereof,
23 shall certify ~~such~~ ~~THAT~~ fact to the secretary of state and to the
24 county clerk, register of deeds, and circuit court of the county in
25 which ~~said~~ ~~THE~~ village is located. ~~and the~~ ~~THE~~ territory of ~~said~~
26 ~~THE~~ village shall thereupon revert to the status existing prior to
27 the filing of the petition required by section 2, ~~of this act,~~ and

1 the office of each charter commissioner and de facto officer of the
2 village shall terminate and cease to exist.